

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
APR 21 2004  
2004 APR 21 A 9 52

UNITED STATES

v.

JOSE E. GONZALEZ,

Defendant

CRIM. NO. 04-10046-RGS

**DEFENDANT JOSE E. GONZALEZ'S MOTION FOR FUNDS  
FOR AUDIO AND VIDEO TAPE DUPLICATION**

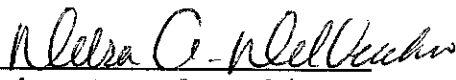
Pursuant to Criminal Justice Act, 18 U.S.C., Section 3006A, the defendant Jose E. Gonzalez respectfully requests that the Court issue an order permitting him to expend up to \$600 to obtain copies of twelve (12) audio and video recordings. Upon information and belief, these tapes currently are in the custody of the Duplicating Center and are available for duplication at \$25 per recording, exclusive of delivery charges and any sales tax.

In support of this motion, the defendant states that he is charged with distribution of cocaine base and conspiracy to distribute cocaine base in this case. During the discovery process, the Government indicated that these items allegedly contain recordings of meetings and telephone calls between the

witness in furtherance of the drug conspiracy. In particular, the Government contends that statements allegedly made by the defendant during these recorded conversations prove his participation in this conspiracy. Consequently, review of this evidence by defense counsel is crucial to her effective representation of the defendant.

Dated: April 20, 2004

Respectfully submitted,  
JOSE E. GONZALEZ,  
By his attorney,

  
Debra A. DelVecchio  
B.B.O. No. 542139  
DEL VECCHIO & HOUSEMAN  
15 Front Street  
Salem, MA 01970  
(978) 740-5999

I certify that a true copy of the foregoing was hand-delivered to AUSA Peter Levitt and co-defendant Angel Gonzalez's attorney Michael Bourbeau on April 21, 2004.




AFFIDAVIT OF COUNSEL

Debra A. DelVecchio, being duly sworn, deposes and states that the following is true based upon my information and belief:

1. I was appointed to represent Jose E. Gonzalez, an indigent defendant, in the above-entitled case currently pending before Judge Richard G. Stearns and Chief Magistrate Judge Marianne B. Bowler in the United States District Court.
2. Based upon my review of the documents provided by the prosecution during discovery, I need to review the recordings that allegedly contain conversations between my client and various other individuals, including his co-defendant and a cooperating witness. All of the information contained in my foregoing motion is true to the best of my knowledge and belief, and is incorporated into this affidavit as if fully recited here.
3. The funds requested are necessary to effectively represent Mr. Gonzalez and to prepare for trial.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 20<sup>th</sup>  
DAY OF APRIL, 2004.

  
Debra A. DelVecchio  
B.B.O. No. 542139